

MINUTES OF THE WILLIAMSON COUNTY HIGHWAY COMMISSION MEETING

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The Williamson County Highway Commission met on Wednesday, January 3, 2007 at 8:30 a.m. in the Auditorium of the Williamson County Administrative Complex. Commission members present were: County Mayor and Highway Commission Chair Rogers Anderson; Commissioners Charlie Bennett, Dick Fowlkes, Renis Baker, and Stan Tyson.

Also, present were: Highway Superintendent Eddie Hood; Houston Naron, Jr., County Commission Chair; County Commissioner Mary Brockman; David Coleman, Budget Director; Joe Horne, Director, Community Development; Mike Matteson and Ann Haines, Planning Department; William Andrews, Engineering Department; Elaine Vasquez, Greg Boll, Highway Department; Purchasing Agent Leslie Mitchell; County Attorneys Bobby Cook and Jeff Moseley, Buerger, Moseley and Carson; Chad Collier and Randy Carroll, Collier Engineering; Wayne Franklin, Risk Manager; Mitch Kline, *The Tennessean*; and other interested and concerned individuals.

Chair Anderson called the meeting to order at approximately 8:30 a.m. and asked for approval of the December 6, 2006 Highway Commission minutes. Commissioner Fowlkes moved to approve the minutes, seconded by Commissioner Tyson. The motion passed unanimously, 5-0.

Special Announcements: There were none.

Citizens Communications: Mr. Michael Zarour, 1004 Scramblers Knob, Franklin, stated that Deerfield is a large rural subdivision off of Spencer Creek Road, behind the BGA campus and that the lots abutting Deerfield were recommended for annexation at the Franklin Planning Commission meeting in October. His neighbor, Mr. Johnson owns property in his subdivision and also wants to complete the Echo Estates subdivision, which is adjacent to his property and in the proposed annexation area. The City of Franklin has postponed the decision on the annexation for ninety days, Mr. Zarour stated. The Deerfield Homeowner's Association is neutral on the annexation, Mr. Zarour stated, but opposes any road connection to Echo Estates via Scramblers Knob. Deerfield HOA members met with the County Planning department staff to verify what part of Scramblers Knob is on the County Road List and it was determined that the road list did not cover the entire road from cul-de-sac to cul-de-sac. Currently, the road list states that the road is .46 and the actual road length is .80, Mr. Zarour stated and the .10 mile extension was never accepted. Mr. Zarour concluded by saying that Scramblers Knob was not designed to handle through traffic.

Mrs. Mary Brockman, 1407 Old Hillsboro Road, 9th District County Commissioner, stated that regarding the upcoming approval procedure, there were many roads in her district that need a special template for a context sensitive design. This is essential for preservation, Mrs. Brockman continued, and the City of Franklin was doing so on the Mack Hatcher extension. Mrs. Brockman stated that she agreed with Mayor Purcell of Nashville who said that local government should only be concerned with education, safety and quality of life issues. Mrs. Brockman stated she would like to be included in the approval procedure process under consideration.

Ms. Pam Rose, 6418 Temple Road, Franklin, stated that regarding the discussion today on road procedures, she would like to ask if the AASHTO standards are being considered and if there was to be public participation in the process. Additionally, Ms. Rose inquired about if the Scenic Roads Subcommittee of the Special Roads Study Committee would be reconvening, what the status of the committee was and will this committee be involved in the process that the Highway Commission is undertaking to have an approval procedure process.

As there were no other requests to speak, the Citizen Communication portion of the agenda was closed.

Elections and Appointments: There were none.

OLD BUSINESS:

Highway Department New Facility Update. Mr. Boll gave a brief update regarding the new facility stating that the survey has been completed on the 15 acres for the Highway Department and the additional five acres for the County Government. The attorneys are in the process of drawing up the contract and it should be completed by the end of January, Mr. Boll concluded.

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Request for Stop Signs in Cross Creek Subdivision by Horton Frank. Commissioner Fowlkes stated he believed the same way as he previously stated regarding the need for stop signs, and that he would need convincing that there is a need for them. He stated that he had performed an unofficial traffic count previously and perhaps a study is needed to determine official counts.

Chair Anderson read the minutes from the April 5, 2006 meeting pertaining to this request: ***Citizens Communications:** Mr. Horton Frank, Hollow Court, Cross Creek Subdivision, spoke to begin a dialogue regarding the need for stop signs at the corner of Cross Creek Drive and Beacon Drive as well as stop signs at the corner of Cross Creek Drive and Ridgetop Court. The need for these signs, Mr. Frank stated, was because of the increased speed of traffic and lack of visibility due to the hills on Cross Creek Drive. The Cross Creek Homeowners Association has looked at different measures to slow down cars, with no success, Mr. Frank concluded, and they would be happy to come back at the May Highway Commission meeting to make a more formal request.*

Mr. Cook referenced his handout regarding the authorization of placing a stop sign stating that his opinion is that the Highway Commission has the authority to post traffic signs on County roads when there is documentation showing safety issues through traffic counts, speeding, accidents, etc.

Commissioner Fowlkes stated that this subdivision was in his area and he spent three hours, from 6:30 a.m. until 9:30 a.m. counting vehicles and observing some obvious speeding. During this time, Commissioner Fowlkes stated, he observed 121 vehicles, from both directions, and five obvious speeders.

Chair Anderson asked Mr. Frank to get with the Highway Superintendent to discuss these issues.

Further, Chair Anderson read the pertinent information from the May 3, 2006 meeting into the minutes: ***Request by Horton Frank for 3-way Stop Signs at Cross Creek Drive & Beacon Drive and Cross Creek Drive & Ridgetop Court in Cross Creek Subdivision.*** Chair Anderson stated that Mr. Frank had not contacted Supt. Hood since the last meeting as requested.

Commissioner Fowlkes stated that he had done his own traffic count in a 3 ½ hour period and that 121 vehicles came during that time. Commissioner Fowlkes stated that this was a dead end subdivision and he didn't think that stop signs should be used for speed control.

Commissioner Fowlkes moved to not pursue this matter further and to not recommend the stop signs in Cross Creek Subdivision, seconded by Commissioner Baker. The motion passed unanimously, 5-0. Chair Anderson stated that the Commission could look at this location at a later date if warranted.

Mr. Frank stated that he thought Commissioner Fowlkes and Supt. Hood were going to get back in touch with him and he wasn't ready to return to the meeting in May, 2006 with additional information. Mr. Frank presented pictures (Attachment A) which he believes demonstrates the visibility issues in Cross Creek and the need for stop signs. Mr. Frank stated that the previous minutes don't accurately reflect his request because the stop signs are needed at Cross Creek and Beacon Hill as well as Cross Creek and Vantage Way. Further, Mr. Frank stated that residents have observed speeding at other locations and the homeowner's association believes it is an unsafe situation. The guidelines state that stop signs shouldn't be used to control speed; however, it does state there are exceptions if certain conditions apply such as high speed, restricted view, or crash records. Two of these exceptions do occur in this case, Mr. Frank continued, the first one being high speed and the second one is limited visibility. Mr. Frank offered into the record a petition (Attachment B) from various residents of the Cross Creek subdivision who have observed speeds in excess of the posted 30 mph speed limit which are safety concerns to them and that they believe stop signs on Cross Creek Drive at the intersections of Beacon Hill and Vantage Way would help with speed and visibility issues. Mr. Frank concluded by stating that two accidents have occurred and eventually someone will be hurt and they would like to reduce the risk of further accidents.

After further discussion about the issues, it was determined that Collier Engineering would do a speed and traffic count in the subdivision and report back at the February Highway Commission meeting where the item will be placed on the agenda.

NEW BUSINESS:

Resolution 1-07-3. **RESOLUTION PLACING \$11,454.00 IN AN ESCROW ACCOUNT (LGIP #38) FOR FUNDS IN-LIEU-OF- DETENTION AT KINGS CHAPEL, SECTION 2A.**

Commissioner Fowlkes moved to recommend approval, seconded by Commissioner Bennett. Mr. Andrews stated that staff recommended approval of the resolution. The motion passed unanimously, 5-0.

Resolution 1-07-4. **RESOLUTION ACCEPTING ROADS IN LEGENDS RIDGE, SECTION 5 AS A PART OF THE COUNTY ROAD SYSTEM FOR MAINTENANCE BY THE COUNTY HIGHWAY DEPARTMENT LOCATED OFF BERRY'S CHAPEL ROAD.** Commissioner Fowlkes moved to recommend approval, seconded by Commissioner Tyson. Mr. Andrews stated that staff recommended approval of the resolution. The motion passed unanimously, 5-0.

Resolution 1-07-5. **RESOLUTION ACCEPTING ROADS IN AMBERGATE ESTATES, SECTION 1 AS A PART OF THE COUNTY ROAD SYSTEM FOR MAINTENANCE BY THE COUNTY HIGHWAY DEPARTMENT LOCATED OFF GOSEY HILL ROAD.** Commissioner Bennett moved to recommend approval, seconded by Commissioner Baker. Mr. Andrews stated that staff recommended approval of the resolution. The motion passed unanimously, 5-0.

Resolution 1-07-19. **RESOLUTION TO ADOPT THE 2007 WILLIAMSON COUNTY ROAD LIST.** Mr. Hood stated that the new road list is in alphabetical order this year and that the length of Scrambler's Knob needed to be corrected from .46 to .80. Chair Anderson requested that Mr. Horne address the Commission regarding Scramblers Knob.

Mr. Horne stated that the Deerfield subdivision was developed in the early 1970s and Scramblers Knob was placed on the road list around 1973. The length on the road list for Scramblers Knob appears to be a "bust;" Mr. Horne explained the road has been maintained by the County. Mr. Horne stated he didn't know if the Deerfield HOA wanted the right-of-way abandoned or not; however, if it was it would revert to the original owner. Additionally, there are unimproved rights of way that have not been accepted by Williamson County. Mr. Horne concluded by saying that his recommendation would be to correct the road list regardless of the other issues involved.

Commissioner Tyson stated that Mr. Johnson's driveway comes off of the paved surface and, according to the tax record, the access is off of Scramblers Knob. He also stated that the map is not up-to-date.

Supt. Hood stated that the developer of Echo Estates doesn't have to come through Deerfield.

Commissioner Tyson asked if action was taken to abandon, if the property would revert back to the original owner.

Mr. Cook explained that should the right-of-way be abandoned, it would become a civil matter. The matter before this commission, Mr. Cook stated, was whether or not the road list length was a clerical mistake.

Chair Anderson stated that the residents of Deerfield brought this matter to the attention of staff and if the commission accepts the additional .34 mile, it becomes part of the road list.

Mr. Cook stated that Scramblers Knob is already a County road and that its responsibility was to notify the County Commission for correction to the road list.

Mr. Coleman stated that there are two issues; the first of which is to correct the road list to reflect what physically exists. The second issue is concerning the right-of-way dedication which is in the County's name.

Commissioner Tyson asked if the decision lies within this body or the Planning Commission.

Mr. Horne stated that this is a new scenario and that the Planning Commission might need to be involved; but the road list correction is obvious. The bottom line is where the driveway is currently and any action that the City of Franklin might take would be speculation.

Supt. Hood stated that we need to correct the road list from .46 to .80 because that's what is being maintained today.

Commissioner Fowlkes moved to recommend the road list, Resolution 1-07-19, seconded by Commissioner Tyson.

Commissioner Fowlkes moved to amend the road list to acknowledge the correct road length of Scramblers Knob to .80, seconded by Commissioner Tyson.

The vote on the amendment was 4-1, with Chair Anderson voting no.

The vote on the road list, as amended, passed unanimously, 5-0.

Discussion of length of Scramblers Knob in Deerfield Subdivision. The discussion of this item was included in the road list item above.

Project Approval Procedures. Commissioner Tyson stated that the information that was sent out in the packets has been revised by the new handout (Attachment C) and asked to defer the discussion until the next meeting.

Mr. Cook explained that they had worked long and hard on these proposed procedures in order to comply with the latest court ruling.

Mr. Moseley stated that Mr. Cook will be handling this new procedure which will be designed to create a record and may allow input so there is no question as to decisions and considerations in the future.

Chair Anderson referenced the blue binder Advanced Planning Report (APR) handout that was in the mailing (Attachment D) for Temple Road.

Mr. Collier stated that this report is a windshield survey which may show deficiencies in alignment to determine start and cost of a project and to give the Commission an idea of what to expect.

Chair Anderson stated that there were two different issues at hand; one is the policy for future projects and the other is how do we address other roads that need maintenance only.

There was additional discussion about AASHTO standards and possible help from CTAS.

Mr. Cook briefly explained *Kelo v. City of New London* case where eminent domain for public purpose by a government agency comes into place.

District Reports: There were no reports.

Superintendent Report: Supt. Hood referenced the December 2006 Activity Report and the current paving and bush hogging schedule.

Chairman's Report: The chair had no report.

Legal Issues: A closed session was held at this time regarding Temple Road.

Upon reconvening, Mr. Moseley stated that the question for the Commission was to determine if an appeal of the final court ruling regarding the Temple Road case was desired.

Commissioner Tyson asked how this action would impact the improvements to Temple Road.

Mr. Moseley stated that the Court action does not limit action on Temple Road improvements going forward.

Commissioner Tyson moved to not appeal the recent Temple Road ruling if there is a satisfactory resolution of the attorney fee issues at the determination of the Highway Commission Chair and the Highway Superintendent, seconded by Commissioner Bennett. The motion passed unanimously, 5-0.

Superintendent Hood asked about the options for Temple Road improvements.

Mr. Moseley stated that the options are still open.

The meeting adjourned at approximately 10:45 a.m., upon duly made motion and second, as there was no further business.

/cb

Rogers C. Anderson
Chairman and County Mayor